

1 **Q: YOU ARE PROPOSING TO USE THESE NUMBERS IN A NOVEL WAY, IS**
2 **THAT CORRECT?**

3 Yes, we are the first company to attempt to utilize these special numbers for this purpose. It
4 makes tremendous sense, since they are by design non-geographical, and IP endpoints are
5 themselves non-geographical. Furthermore, the fact that they are NANPA allocated should
6 lower the barrier to adoption, although so far, the fact that they are a formal NANP allocation
7 hasn't convinced AT&T much to load them into routing. Also, many ESPs are weary of
8 adopting PSTN emulation with standard 10-digit numbers, since most are now aware that that
9 practice is problematic in the long term, since the adoption of those numbers opens them to
10 potential access charges from companies such as AT&T.

11 **Q: DID NANPA PROVIDE ANY RESISTANCE TO YOUR REQUEST?**

12 A: No, they did not. Initially, they were somewhat puzzled by the request since, as I said, no
13 one had ever requested this kind of allocation before. But they proceeded very reasonably. First
14 they suspended the application until such time as they could better understand our request. At
15 this point we were skeptical that we would receive fair treatment since we are often on the
16 receiving end of dilatory tactics. However, to our surprise we later learned that in the interim
17 while the application was suspended, NANPA actually went to the FCC for guidance on the
18 subject. They returned to us with a number of requests, some for specific forecasts, and in
19 particular, a representation whether they were going to be used for an enhanced service through
20 UTEX or through another company. In our response, we responded with forecasts and a
21 description of the offering:

22 Substantiation for Initial Request – We currently provide around 100 million
23 minutes a month of origination and termination traffic with our non-geographic
24 enhanced service provider (ESP) customers. These customers plan to rapidly
25 deploy our Skype-like IM service. Our forecast of 15 codes per year and initial

1 request for 7 N00-NXX's is based on this demand. Please keep in mind that the
2 details provided in this message are proprietary and confidential.

3 With this information, UTEX was granted an initial allocation and we were told that we could
4 request further allocations when we utilized the numbers we had received.

5 **Q: ONCE YOU RECEIVED THE ALLOCATION, WERE YOU THEN ABLE TO**
6 **START SELLING THE SERVICE?**

7 A: No. The allocation is only one part of being able to offer the numbers. Once allocated,
8 we needed to get them loaded into routing. Since our desire is to provide interoperation of the
9 PSTN with ESP users, we desired to have the traffic reach our network through our SS7
10 interconnected switch.

11 **Q: HOW DID YOU TRY TO ACHIEVE THIS?**

12 A: Since we were not able to publish 500 numbers in the Local Exchange Routing Guide
13 ("LERG"), we had to pursue an alternative approach.³ Initially we sent a letter to the majority of
14 the LECs, CMRS carriers, and CLECs in Texas, alerting them of the allocation, and requesting
15 that they load our numbers into routing. We received very few responses, and of those that we
16 did receive, most stated that they would not act until AT&T acted. A very small number agreed
17 to meet with us to discuss the opportunity, but it was clear that until AT&T loaded the numbers,
18 there would be no movement from the larger carriers.

19 **Q: SO HOW DID YOU APPROACH AT&T ABOUT ROUTING?**

20 A: We took two steps. First, we approached our account representative, who in her typical
21 fashion deferred to her superiors, and eventually denied our request. We had informed AT&T of
22 our intent to create a non-geographic originating product much earlier. In discussions preceding

³ The LERG is simply not designed to adopt the conventions and capabilities of new technology. LERG represents a very limited and dated view of basically how things worked twenty-five years ago. It can't understand new technology.

1 the join testing, Mr. Feldman informed Mr. Cole of this. [See Exhibit 505: RFP-1-10-9629 to
2 RFP-1-10-9635]. The context of this discussion was very important, as it was the first time that
3 AT&T informed UTEX that AT&T only counted CPN as delivered if it mapped on to a 10-digit
4 NANP number, irrespective of the fact that the majority of our calls were ESP originated. UTEX
5 at the time wholly rejected as harmful this unilateral policy decision by Bell. Our efforts to
6 engage them on a mutually acceptable solution went unrequited.

7 More significantly, we approached the ATIS Network Interconnection Interoperability
8 Forum for guidance in getting the routing put into place. We eventually dealt with Robin Meier,
9 the Co-Chair of the NIFF Network Inter-Operability Committee, who also happens to be an
10 AT&T employee, who informed us that the only way for us to have our 500 number block routed
11 back to us was to reach bi-lateral routing agreements with other LECs on a case by case
12 basis. In her AT&T capacity, she stated that should would not deal with us, even though she was
13 the most knowledgeable person at AT&T and referred us back to our account manager.
14 Meanwhile, there was clearly a "back channel" to other people at AT&T as Mr. Constable
15 inquired to our current account manager if UTEX had contacted them about 500 numbers. When
16 we did ask our account manager, she was clearly ready, and was very quick to tell us that we
17 could only "BUY" the service from AT&T as access, and there was no "PRODUCT" for "local."
18 Our solution to use "500 Numbers" was dead, at least until we could have a hearing and try and
19 get the PUC to help.

20 Of course, without AT&T participation, our product could not move forward, and we had
21 to inform our potential customers that we could not offer them this highly anticipated service
22 until we resolved the routing issues. Every day we can not offer this service due to AT&T's
23 refusal to interconnect is harmful to UTEX.

1 **Q: IS THE ROUTING OF 500 NUMBERS TECHNICALLY FEASIBLE?**

2 A: Yes, all telephony switching equipment that I am aware of can route 500 numbers. There
3 is nothing about the number itself which would prevent AT&T from loading these numbers into
4 their switches for routing to the UTEX network. In fact it was clearly contemplated and
5 mentioned in our ICA.

6 **Q: WOULDN'T THIS REQUIRE AT&T TO PERFORM AN EXTRAORDINARY**
7 **NUMBER OF CONFIGURATION CHANGES TO THEIR SYSTEMS?**

8 A: No. As a normal course of business, AT&T routinely performs maintenance on the
9 routing tables on ALL of their switches. The process of adding a 500 number would be no
10 different from adding routing for a newly allocated block from the standard NANPA allocation
11 space.

12 **Q: ARE THERE ANY OTHER OBSTACLES IN THE WAY OF UTEX PROVIDING**
13 **THE SERVICE YOU DESCRIBED?**

14 A: Yes, there is an additional obstacle, which is an economic rather than technical or
15 operational issue, which goes back to the way in which AT&T and UTEX are currently
16 interconnected at the SS7 layer. Currently AT&T forces UTEX to interconnect in the SS7 layer
17 by using an external third party provider. This fact forces UTEX to incur costs which do not
18 allow UTEX to scale services to deployments over a wide area, since we are forced to pay
19 multiple per point code charges from the third party provider in each LATA in which we wish to
20 interconnect.

21 **Q: IS THERE AN ALTERNATIVE WAY FOR UTEX AND AT&T TO**
22 **INTERCONNECT AT THE SS7 LAYER?**

1 A: Yes. My understanding of the Act is that incumbents must provide facilities for any
2 technologically feasible mode of interconnection. Furthermore, my understand of the Act is that
3 CLECs are supposed to obtain "peer" status to the incumbent. With this in mind, it would be
4 possible for UTEX to interconnect directly at the SS7 Layer via direct SS7 B-Link connections.
5 SS7 B-Links are the links that connect Signal Transfer Points ("STPs") within the same level of
6 hierarchy within a geographical area. With B-Link connections, UTEX would be able to
7 exchange traffic with AT&T at little marginal cost per incremental market. This would also
8 achieve an important efficiency, both in terms of cost and technical operation. Finally it would
9 establish UTEX properly as a peer with AT&T.

10 **Q: HAS UTEX EVER REQUESTED B-LINK CONNECTIONS FROM AT&T?**

11 A: Yes, on numerous occasions. In all instances, our requests were denied. In particular
12 internal AT&T communications indicate that one justification given is that in Mr. Douglas
13 Faith's view "Interconnection is only for the exchange of local traffic and SBC's end users and
14 UTEX's end users". [See AT&T Texas' Response to UTEX's RFP 1-11-20] Of course, this view
15 would seem to deny UTEX the ability to offer wholesale services over its interconnection, which
16 would go against the stated decisions of the PUC and other bodies. Mr. Faith later stated
17 internally that the only way that AT&T would interconnect via B-Links was for UTEX to
18 purchase the links as a service off of the AT&T Tariff [See AT&T Texas' Response to UTEX's
19 RFP 1-10-8637] However, members of the AT&T interconnection knew that Mr. Faith's views
20 were not consistent with the UTEX ICA, and said so in internal communications [See AT&T
21 Texas' Response to RFP 1-10-8610]. However, this internal debate did not result in any
22 progress for UTEX. It took nearly nine months from the time of the request for us to hear back
23 an unexplained and unqualified "NO".

1 In fact, the contractual issue is quite complex. Section 6 states that for underlying
2 facilities such as B-Links, UTEX and AT&T should exchange costs for ports at an equal rate.
3 The only proviso is that either side can opt out of the arrangement if they do not wish to obtain
4 the service. However for the case of our 500 number product, if it were designed to operate
5 over B-Links obtained in that way, AT&T decision not to obtain reciprocal service from us
6 would defeat the purpose of network interoperability since such a decision would defeat callback
7 from the PSTN to UTEX's ESP customers. At the end of the day this is a simple issue.
8 AT&T's refusal to interconnect is an effective barrier to entry of UTEX's new service.

9 **Q: WOULDNT B-LINK CONNECTION PLACE A BURDEN ON THE AT&T**
10 **NETWORK?**

11 A: No. AT&T Texas maintains a single pair of super-regional STPs for the entire five-state
12 region. We could interconnect at those points. Or, UTEX could use facilities from its ss7 Single
13 Point of Interconnection ("SPOI") in each LATA. Either way, UTEX would be able to obtain
14 SS7 signaling facilities that would remove unnecessary operational and economic constraints.

15 **Q: DOES THE EXISTING ICA REQUIRE AT&T TEXAS TO DIRECTLY SIGNAL**
16 **WITH UTEX USING SS7 B-LINKS IF UTEX REQUESTS DIRECT SIGNALING**
17 **INTERCONNECTION?**

18 Yes. The technical specs speak at length about B-links and clearly require a B-link connection
19 when requested.

20
21 Below is a Pictorial Exhibit Timeline, and table of exhibits which references the exhibits used to
22 support my testimony on the SS7 Signaling issues (directly above). I used these exhibits in
23 creating my testimony. Similar Pictorial Exhibit timelines will be used by all UTEX witnesses

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1 so there is a single Exhibit book, and where there is overlap less paper is produced and fewer
2 trees are destroyed. The item numbers match the item numbers in our Exhibit Book.

3

| Exhibit # | Date | From | Subject |
|-----------|-------|------------------------------|--|
| 333 | 36656 | Gilmore, Jerry W (SBC-OPS) | |
| 335 | 36662 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection Files |
| 337 | 36664 | Josephson, Debbie (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 338 | 36664 | Clifford, Joan A (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 339 | 36664 | Phillips, Michael (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 336 | 36664 | Clifford, Joan A (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 340 | 36665 | Tutwiler, Sandy (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 341 | 36665 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection Order |
| 342 | 36665 | Josephson, Debbie (SWBT) | FW: UTEX-ISDN Interconnection Order |
| 343 | 36669 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection Implementation |
| 345 | 36672 | Nemeroff, Brett | |
| 362 | 36775 | Lowell Feldman | RE: UTEX-Compensation |
| 383 | 36848 | Elgin III, James B (SCB-OPS) | RE: "TIP TOP" INFO REQUESTED |
| 386 | 36848 | Jackson, Tony L (SWBT) | FW: "TIP TOP" INFO REQUESTED |
| 387 | 36848 | Jackson, Tony L (SWBT) | RE: "TIP TOP" INFO REQUESTED |
| 384 | 36848 | Josephson, Debbie (SWBT) | RE: Fwd: RE: Block User ID |
| 398 | 36921 | Bruce Solis | |
| 400 | 36929 | Gary Nekula | RE: UTEX-2005 Notification of Semi Annual CLEC Forecast (contractual obligation) FW: UTEX-2005 Notification of Semi Annual CLEC Forecast (contractual obligation) |
| 401 | 36929 | Josephson, Debbie (SWBT) | RE: UTEX-2005 Notification of Semi Annual CLEC Forecast (contractual obligation) |
| 402 | 36929 | Josephson, Debbie (SWBT) | Updated: UTEX-ISDN Interconnection arbitration award |
| 410 | 36994 | Josephson, Debbie (SWBT) | Canceled: UTEX-ISDN Interconnection |
| 411 | 36995 | Josephson, Debbie (SWBT) | RE: UTEX-ISDN Interconnection |
| 413 | 37000 | Josephson, Debbie (SWBT) | RE: UTEX-ISDN Interconnection |
| 414 | 37000 | Lowell Feldman | RE: UTEX-Interconnection Arguments |
| 415 | 37000 | Lowell Feldman | RE: ASR Assistance |
| 416 | 37000 | Hill, Mary A (SWBT) | RE: ASR Assistance |
| 417 | 37000 | Josephson, Debbie (SWBT) | RE: ASR Assistance |
| 418 | 37000 | Harris, Joseph (SWBT) | RE: ASR Assistance |
| 419 | 37000 | Tutwiler, Sandy (SWBT) | RE: New Interconnection ISDN Product???? |
| 420 | 37000 | Hill, Mary A (SWBT) | RE: ASR Assistance |
| 421 | 37002 | Lowell Feldman | RE: UTEX-Interconnection Augments |
| 422 | 37002 | Josephson, Debbie (SWBT) | RE: UTEX-Interconnection Augments |
| 423 | 37005 | Harris, Joseph (SWBT) | What of this is isdn and what is ss?? |
| 424 | 37005 | Harris, Joseph (SWBT) | (No Subject) There is no entrance facility associated with this order. WE don't have to go there. |
| 425 | 37005 | Harris, Joseph (SWBT) | UTEX-ISDN Interconnection draft response to Lowell |
| 426 | 37005 | Josephson, Debbie (SWBT) | (No Subject) |
| 427 | 37007 | Harris, Joseph (SWBT) | (No Subject) |
| 428 | 37008 | Harris, Joseph (SWBT) | RE: UTEX-Interconnection Arguments |
| 429 | 37012 | Lowell Feldman | UTEX-Interconnection Augments |
| 430 | 37012 | Josephson, Debbie (SWBT) | |

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| | | | |
|-----|-------|------------------------------|--|
| 433 | 37017 | Lowell Feldman | RE: UTEX~Response to Letter Invoking Informal Dispute Resolution |
| 434 | 37019 | Lowell Feldman | RE: UTEX~Response to Letter Invoking Informal Dispute Resolution |
| 435 | 37019 | Lowell Feldman | RE: UTEX~Response to Letter Invoking Informal Dispute Resolution |
| 436 | 37019 | Lowell Feldman | RE: UTEX~Response to Letter Invoking Informal Dispute Resolution |
| 437 | 37019 | Josephson, Debbie (SWBT) | RE: UTEX~Response to Letter Invoking Informal Dispute Resolution |
| 438 | 37019 | Josephson, Debbie (SWBT) | RE: UTEX~Response to Letter Invoking Informal Dispute Resolution |
| 447 | 37043 | Josephson, Debbie (SWBT) | RE: UTEX DEOTs |
| 456 | 37054 | Jones, Andrew M (Legal) | FW: SBC Texas / UTEX discussions following Docket No. 29944 |
| 459 | 37057 | Brett Nemeroff | SS7 B-Link Connections |
| 458 | 37057 | Brett Nemeroff | SS7 B-Link Connections |
| 460 | 37058 | Tutwiler, Sandy (SWBT) | RE: UTEX~Access over Local project |
| 461 | 37058 | Josephson, Debbie (SWBT) | FW: SS7 B-Link Connections |
| 462 | 37058 | Josephson, Debbie (SWBT) | FW: SS7 B-Link Connections |
| 463 | 37058 | Gilmore, Jerry W (SBC-OPS) | RE: SS7 B-Link Connections |
| 465 | 37061 | Faith, Douglas P (AIT) | RE: SS7 B-Link Connections |
| 466 | 37061 | Josephson, Debbie (SWBT) | FW: SS7 B-Link Connections |
| 467 | 37061 | Gilmore, Jerry W (SBC-OPS) | RE: SS7 B-Link Connections |
| 468 | 37062 | Josephson, Debbie (SWBT) | FW: SS7 B-Link Connections |
| 469 | 37062 | Josephson, Debbie (SWBT) | RE: SS7 B-Link Connections |
| 470 | 37062 | Lowell Feldman | RE: SS7 B-Link Connections |
| 476 | 37062 | Josephson, Debbie (SWBT) | RE: SS7 B-Link Connections |
| 482 | 37071 | Josephson, Debbie (SWBT) | FW: SS7 B-Link Connections |
| 483 | 37071 | Josephson, Debbie (SWBT) | RE: SS7 B-Link Connections |
| 484 | 37071 | Lowell Feldman | RE: SS7 B-Link Connections |
| 487 | 37078 | Josephson, Debbie (SWBT) | RE: SS7 B-Link Connections |
| 488 | 37078 | Josephson, Debbie (SWBT) | RE: SS7 B-Link Connections |
| 494 | 37100 | Cole, Bill | Letter mailed to UTEX on backbilling for no CPN |
| 512 | 37113 | Lowell Feldman | SS-7 B-Links Status and Request for NIS Meeting for establishing B-Links |
| 521 | 37113 | Gilmore, Jerry W (SBC-OPS) | RE: UTEX~B-Links issue discussion |
| 528 | 37120 | Lowell Feldman | Update |
| 531 | 37124 | Lowell | RE: SS-7 B-links Status and Request for NIS Meeting for establishing B-Links |
| 533 | 37125 | Lowell Feldman | RE: Midland Odessa Interconnection |
| 532 | 37125 | Josephson, Debbie (SWBT) | RE: SS-7 B-links Status and Request for NIS Meeting for establishing B-Links |
| 534 | 37125 | Tutwiler, Sandy (SWBT) | RE: Midland Odessa Interconnection |
| 535 | 37125 | Tutwiler, Sandy (SWBT) | RE: Midland Odessa Interconnection |
| 536 | 37125 | Elgin III, James B (SCB-OPS) | RE: UTEX~SS7 B-Links questions |
| 541 | 37125 | Lowell | RE: Midland Odessa Interconnection |
| 542 | 37125 | Lowell | RE: Midland Odessa Interconnection |
| 543 | 37125 | Lowell | B-Links |
| 547 | 37125 | Lowell | RE: SS-7 B-links Status and Request for NIS Meeting for establishing B-Links |
| 537 | 37125 | Tutwiler, Sandy (SWBT) | FW: Midland Odessa Interconnection |
| 538 | 37125 | Josephson, Debbie (SWBT) | RE: Midland Odessa Interconnection |
| 539 | 37125 | Tutwiler, Sandy (SWBT) | RE: Midland Odessa Interconnection |

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|-----|-------|----------------------------|---|
| 540 | 37125 | Lowell | RE: Midland Odessa Interconnection |
| 546 | 37125 | Lowell Feldman | RE: Midland Odessa Interconnection |
| 544 | 37125 | Josephson, Debbie (SWBT) | UTEX~SS7 B-Links questions |
| 545 | 37125 | Josephson, Debbie (SWBT) | RE: SS7 B-links Status and Request for NIS Meeting for establishing B-Links |
| 559 | 37133 | Faith, Douglas P (AIT) | RE: UTEX~SS-7 B-links questions |
| 560 | 37133 | Josephson, Debbie (SWBT) | RE: UTEX~SS-7 B-links questions |
| 561 | 37133 | Josephson, Debbie (SWBT) | RE: UTEX~SS-7 B-links questions |
| 558 | 37133 | Faith, Douglas P (AIT) | RE: UTEX - SS-7 B-links questions |
| 558 | 37134 | Josephson, Debbie (SWBT) | RE: UTEX~SS-7 B-links Status |
| 568 | 37135 | Josephson, Debbie (SWBT) | RE: B-Link Follow-up |
| 570 | 37135 | Lowell | B-Link Follow-up |
| 572 | 37139 | Stalnaker, Paul (SWBT) | FW: Project Notifier - UTEX Lubbock |
| 573 | 37139 | Stalnaker, Paul (SWBT) | FW: Project Notifier - UTEX Midland |
| 578 | 37142 | Josephson, Debbie (SWBT) | RE: B-Link Follow-up |
| 580 | 37142 | Lowell | RE: B-Link Follow-up |
| 586 | 37153 | Josephson, Debbie (SWBT) | FW: B-Link Follow-up |
| 589 | 37153 | Josephson, Debbie (SWBT) | RE: B-Link Follow-up |
| 590 | 37153 | Lowell Feldman | RE: B-Link Follow-up |
| 591 | 37159 | Josephson, Debbie (SWBT) | RE: 211/311 Services |
| 592 | 37160 | Josephson, Debbie (SWBT) | FW: B-Link Follow-up |
| 593 | 37161 | Josephson, Debbie (SWBT) | RE: 211/311 Services |
| 618 | 37224 | Brett Nemeroff | Interconnection Efforts |
| 619 | 37225 | Josephson, Debbie (SWBT) | Interconnection Efforts |
| 620 | 37225 | Tutwiler, Sandy (SWBT) | RE: Interconnection Efforts |
| 621 | 37225 | Josephson, Debbie (SWBT) | FW: Interconnection Efforts |
| 622 | 37225 | Lowell Feldman | RE: Interconnection Efforts |
| 623 | 37226 | Lowell Feldman | RE: Interconnection Efforts |
| 624 | 37226 | Lowell Feldman | RE: Interconnection Efforts |
| 625 | 37231 | Tutwiler, Sandy (SWBT) | RE: Interconnection Efforts |
| 626 | 37231 | Lowell Feldman | RE: Interconnection Efforts |
| 627 | 37232 | Josephson, Debbie (SWBT) | RE: Interconnection Efforts |
| 628 | 37232 | Lowell Feldman | RE: Interconnection Efforts |
| 629 | 37234 | Gilmore, Jerry W (SBC-OPS) | RE: Interconnection Efforts |
| 635 | 37303 | Josephson, Debbie (SWBT) | RE: UTEX codes in Kingsville and Corpus |
| 651 | 37377 | Brett Nemeroff | Updated Trunk Forecasts |
| 655 | 37380 | Josephson, Debbie (SWBT) | RE: A Question |
| 661 | 37401 | Rich Lewis | UTEX Tariff No. 1 Invoices #125, 126, 127, 128 and 129 to at&t |
| 665 | 37415 | Josephson, Debbie (SWBT) | FW: UTEX Tariff No. 1 Invoices #125, 126, 127, 128 and 129 to at&t |
| 703 | 37555 | Fears, Nancy | RE: UTEX Communications Corp. - Processing of this 500 PCS Application Has been Suspended |
| 123 | 37558 | DeHaven, Brian | RE: UTEX Communications Corp. - Processing of this 500 PCS Application Has been Suspended |
| 710 | 37573 | Josephson, Debbie (SWBT) | UTEX Tariff No. 1 Invoice #155 to at&t |
| 711 | 37574 | Josephson, Debbie (SWBT) | RE: UTEX IGI-POP tariff |
| 712 | 37574 | Gilmore, Jerry W (SBC-OPS) | RE: UTEX Tariff No. 1 Invoices #125, 126, 127, 128 and 129 to at&t |
| 716 | 37630 | Meier, Robin | RE: 500-NXX routing between networks |
| 715 | 37630 | Hall, Gia S (SBC-OPS) | RE: UTEX |
| 721 | 37651 | Constable, Jason (SBC-OPS) | FW: UTEX ICA |
| 736 | 37755 | Josephson, Debbie (SWBT) | RE: Trunk Forecasts |

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737 37755 Constable, Jason (SBC-OPS)

RE: Trunk Forecasts

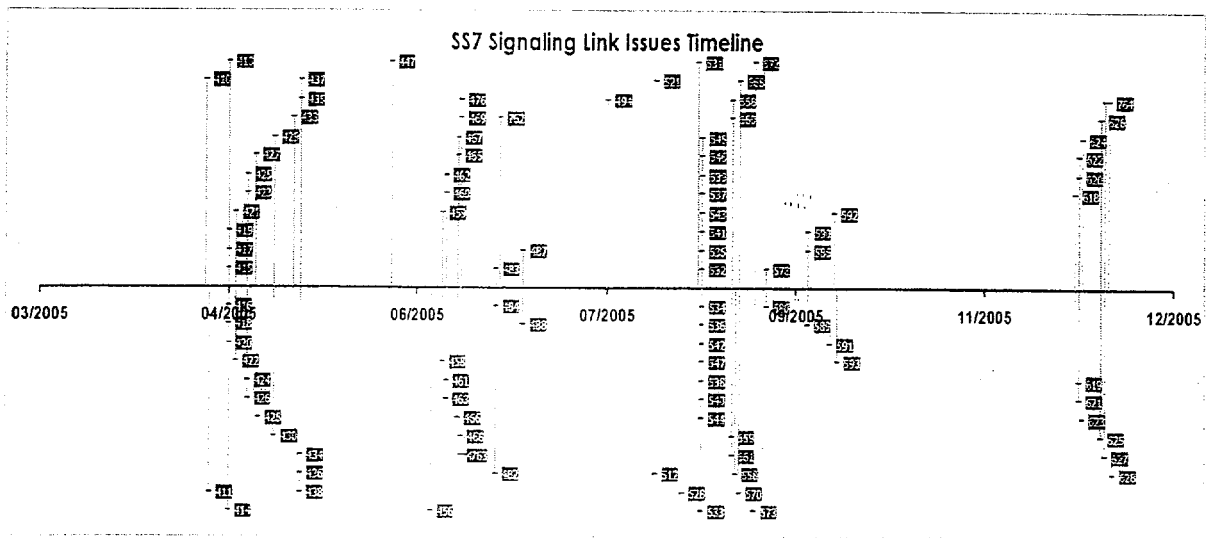
742 37813 Hall, Gia S (ATTOPS)

RE: UTEX DEOT study to switch HSTQTXRG6MD point
code 005-096-184 Houston market

753 37856 Patterson, Judith A (ATTOPS)

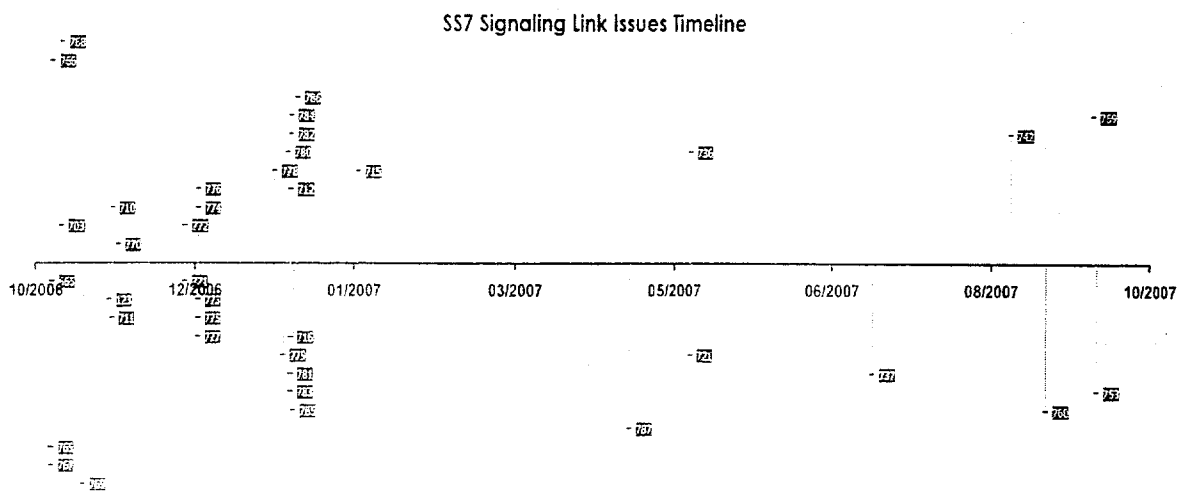
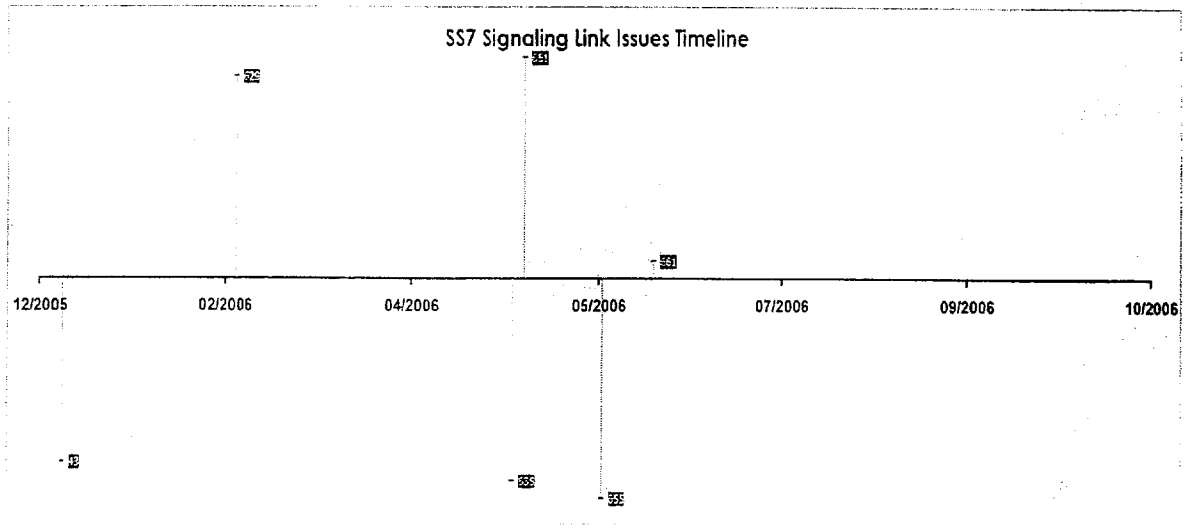
FW: Trunk Forecasts

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1 **Q: DID UTEX MEET ITS OBLIGATIONS, AS SPELLED OUT IN THE DOCKET**
2 **NO. 29944 ARBITRATION AWARD, FOR OBTAINING ISDN INTERCONNECTION?**

3 A: Yes.

4
5 **Q: HAS UTEX "MODIFIED ITS NETWORK ELEMENTS TO PERFORM AS A**
6 **CLASS 5 SWITCH?"**

7 A: Yes. "A Class 5 switch, in United States telephony jargon, refers to a telephone switch or
8 exchange located at the local telephone company's central office, directly serving subscribers.
9 Class 5 switch services include basic dial-tone, calling features, and additional digital and data
10 services to subscribers using the local loop."

11 http://en.wikipedia.org/wiki/Class_5_telephone_switch UTEX's switching fabric has all the
12 functionalities and affords all the capabilities of traditional end office switches that serve end
13 users, plus a whole lot more.

14 ISDN interconnection really has little if anything to do with the functionalities that are
15 available to end users, other than the ability to make and receive phone calls that must traverse
16 multiple networks. "Interconnection is the linking of two networks for the mutual exchange of
17 traffic. This term does not include the transport and termination of traffic." 47 C.F.R. § 51.5. We
18 are discussing the physical interface between AT&T Texas and UTEX and the signaling protocol
19 between the two networks. Nonetheless, yes, all of UTEX's network elements⁴ can operate like a
20 Class 5 switch.

⁴ Section 153(29) defines "network element": "Network element.--The term "network element" means a facility or equipment used in the provision of a telecommunications service. Such term also includes features, functions, and capabilities that are provided by means of such facility or equipment, including subscriber numbers, databases, signaling systems, and information sufficient for billing and collection or used in the transmission, routing, or other provision of a telecommunications service." All telecommunications carriers have network elements. They are not unique to ILECs.

1 **Q: HAS UTEX MODIFIED ITS NETWORK ELEMENTS TO PROVIDE**
2 **SIGNALING?**

3 A: Yes. We are prepared to signal with AT&T Texas using Q.931, just like the ICA says.

4 **Q: HAS UTEX MODIFIED ITS NETWORK ELEMENTS TO PROVIDE BILLING?**

5 A: Yes. We have the ability to issue bills.

6 **Q: HAS UTEX MODIFIED ITS NETWORK ELEMENTS TO PROVIDE ERROR**
7 **TREATMENT?**

8 A: Yes. Error treatment will generally follow generally accepted practices and policies of the
9 PSTN.

10 **Q: DOES YOUR ERROR TREATMENT GENERALLY FOLLOW GENERALLY**
11 **ACCEPTED PRACTICES AND POLICIES OF THE PSTN?**

12 A: Yes.

13 **Q: HAS UTEX "ENSURE[D] THAT ITS CLASS 5 SWITCH OR EQUIVALENT**
14 **SHALL ALSO PERFORM, INCLUDING BUT NOT LIMITED TO, THE FOLLOWING**
15 **FUNCTIONS: (1) DIAL TONE TO END USERS VIA LINE/LOOP CONNECTIONS**
16 **CONTAINING CUSTOMER ASSIGNABLE NPA/NXXS (TELEPHONE NUMBERS), (2)**
17 **CONNECTS TO OTHER CLASS 5 END OFFICE SWITCHES AND TANDEM**
18 **SWITCHES VIA VOICE GRADE TRUNKING CONNECTIONS, (3) PROVIDES**
19 **PROTOCOL INTER-WORKING, AND (4) MEETS FEDERAL REQUIREMENTS FOR**
20 **LNP."**

21 A: We can do each of these things. We in fact do each of these things.

22 **Q: DOES UTEX ADHERE TO THE GUIDELINES AS SET FORTH IN 47 C.F.R.**
23 **§ 52.26 AND THE WORKING GROUP REPORT?**

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A: Yes. We meet each of those requirements. We fully support both porting in and porting out, and we can do so for all customers served using ISDN interconnection.

Below is a pictorial representation, and a table of the Exhibits that relate to ISDN interconnection issues:

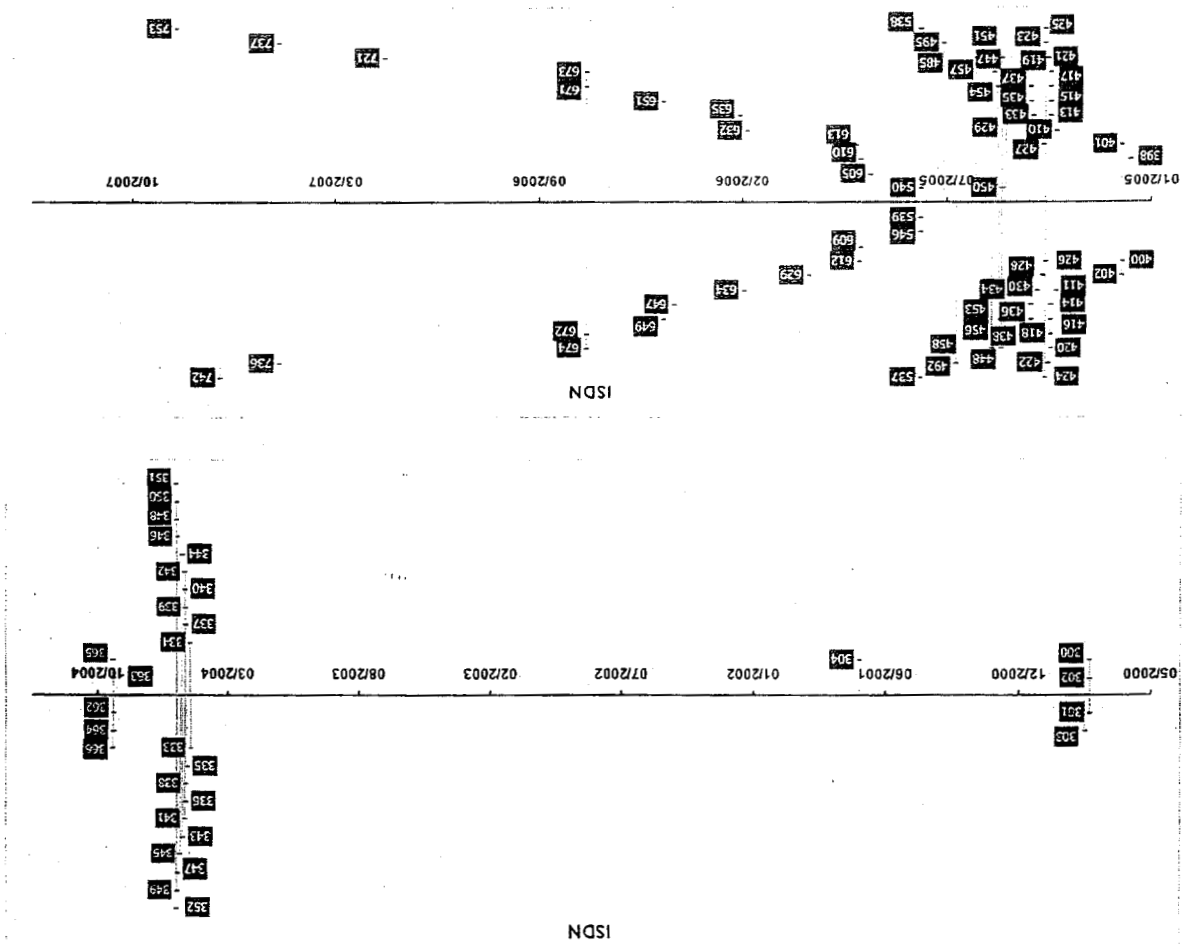
| Exhibit | Date | From | Subject |
|----------------|-------------|-----------------------------|--|
| 301 | 35293 | Smith, Keisha (SWBT) | UTEX--ISDN interconnection |
| 302 | 35294 | Dayman, Jacqueline J (SWBT) | RE: UTEX (ISDN Interconnection) mtg. RE: Internal NIT mtg to discuss UTEX 8-23-00 1pm RE: UTEX Communications - Renegotiation of Texas Interconnection agreement |
| 303 | 35301 | Hees, Jerry D (SWBT) | |
| 304 | 35638 | Feldman, Lowell | |
| 333 | 36656 | Gilmore, Jerry W (SBC-OPS) | |
| 334 | 36658 | Josephson, Debbie (SWBT) | FW: ISDN Interconnection Files |
| 335 | 36662 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection Files |
| 337 | 36664 | Josephson, Debbie (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 338 | 36664 | Clifford, Joan A (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 339 | 36664 | Phillips, Michael (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 336 | 36664 | Clifford, Joan A (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 340 | 36665 | Tutwiler, Sandy (SWBT) | RE: UTEX-ISDN Interconnection Order |
| 341 | 36665 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection Order |
| 342 | 36665 | Josephson, Debbie (SWBT) | FW: UTEX-ISDN Interconnection Order |
| 343 | 36669 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection Implementation |
| 344 | 36670 | Gilmore, Jerry W (SBC-OPS) | FW: Status of Informal Dispute Resolution |
| 345 | 36672 | Nemeroff, Brett | |
| 346 | 36677 | Clifford, Joan A (SWBT) | RE: FW: Utex Exhibit 1 forms for Houston ISDN interconnection |
| 347 | 36677 | Marshall, Fondra B (SWBT) | RE: Utex Exhibit 1 forms for Houston ISDN interconnection |
| 348 | 36678 | Clifford, Joan A (SWBT) | RE: Utex Exhibit 1 forms for Houston ISDN interconnection |
| 349 | 36678 | Josephson, Debbie (SWBT) | RE: Utex Exhibit 1 forms for Houston ISDN interconnection |
| 350 | 36678 | Clifford, Joan A (SWBT) | RE: Utex Exhibit 1 forms for Houston ISDN interconnection |
| 352 | 36679 | Brett Nemeroff | RE: UTEX~911 |
| 351 | 36679 | Gilmore, Jerry W (SBC-OPS) | FW: Informal Dispute Status |
| 362 | 36775 | Lowell Feldman | RE: UTEX~Compensation |
| 363 | 36775 | Josephson, Debbie (SWBT) | UTEX~Compensation |
| 364 | 36775 | Josephson, Debbie (SWBT) | FW: UTEX~Compensation |
| 365 | 36776 | Gilmore, Jerry W (SBC-OPS) | RE: UTEX~Compensation |
| 366 | 36776 | Josephson, Debbie (SWBT) | RE: UTEX~Compensation |
| 398 | 36921 | Bruce Solis | |
| 400 | 36929 | Gary Nekula | RE: UTEX~2005 Notification of Semi Annual CLEC Forecast (contractual obligation) FW: UTEX~2005 Notification of Semi Annual CLEC Forecast (contractual obligation) |
| 401 | 36929 | Josephson, Debbie (SWBT) | RE: UTEX~2005 Notification of Semi Annual CLEC Forecast (contractual obligation) |
| 402 | 36929 | Josephson, Debbie (SWBT) | RE: UTEX~2005 Notification of Semi Annual CLEC Forecast (contractual obligation) |

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| | | | |
|-----|-------|----------------------------|--|
| 410 | 36994 | Josephson, Debbie (SWBT) | Updated: UTEX-ISDN Interconnection arbitration award |
| 411 | 36995 | Josephson, Debbie (SWBT) | Canceled: UTEX-ISDN Interconnection |
| 413 | 37000 | Josephson, Debbie (SWBT) | RE: UTEX-ISDN Interconnection |
| 414 | 37000 | Lowell Feldman | RE: UTEX-ISDN Interconnection |
| 415 | 37000 | Lowell Feldman | RE: UTEX-Interconnection Arguments |
| 416 | 37000 | Hill, Mary A (SWBT) | RE: ASR Assistance |
| 417 | 37000 | Josephson, Debbie (SWBT) | RE: ASR Assistance |
| 418 | 37000 | Harris, Joseph (SWBT) | RE: ASR Assistance |
| 419 | 37000 | Tutwiler, Sandy (SWBT) | RE: New Interconnection ISDN Product???? |
| 420 | 37000 | Hill, Mary A (SWBT) | RE: ASR Assistance |
| 421 | 37002 | Lowell Feldman | RE: UTEX-Interconnection Augments |
| 422 | 37002 | Josephson, Debbie (SWBT) | RE: UTEX-Interconnection Augments |
| 423 | 37005 | Harris, Joseph (SWBT) | What of this is isdn and what is ss?? |
| 424 | 37005 | Harris, Joseph (SWBT) | (No Subject) |
| 425 | 37005 | Harris, Joseph (SWBT) | There is no entrance facility associated with this order. WE don't have to go there. |
| 426 | 37005 | Josephson, Debbie (SWBT) | UTEX-ISDN Interconnection draft response to Lowell |
| 427 | 37007 | Harris, Joseph (SWBT) | (No Subject) |
| 428 | 37008 | Harris, Joseph (SWBT) | (No Subject) |
| 429 | 37012 | Lowell Feldman | RE: UTEX-Interconnection Arguments |
| 430 | 37012 | Josephson, Debbie (SWBT) | UTEX-Interconnection Augments |
| 433 | 37017 | Lowell Feldman | RE: UTEX-Response to Letter Invoking Informal Dispute Resolution |
| 434 | 37019 | Lowell Feldman | RE: UTEX-Response to Letter Invoking Informal Dispute Resolution |
| 435 | 37019 | Lowell Feldman | RE: UTEX-Response to Letter Invoking Informal Dispute Resolution |
| 436 | 37019 | Lowell Feldman | RE: UTEX-Response to Letter Invoking Informal Dispute Resolution |
| 437 | 37019 | Josephson, Debbie (SWBT) | RE: UTEX-Response to Letter Invoking Informal Dispute Resolution |
| 438 | 37019 | Josephson, Debbie (SWBT) | RE: UTEX-Response to Letter Invoking Informal Dispute Resolution |
| 447 | 37043 | Josephson, Debbie (SWBT) | RE: UTEX DEOTs |
| 448 | 37047 | Lowell Feldman | RE: UTEX-Access over Local project |
| 451 | 37047 | Josephson, Debbie (SWBT) | RE: UTEX letter |
| 453 | 37049 | Cole, Bill (SBCSI) | utex |
| 454 | 37051 | Josephson, Debbie (SWBT) | RE: UTEX-Access over Local trunks |
| 456 | 37054 | Jones, Andrew M (Legal) | FW: SBC Texas / UTEX discussions following Docket No. 29944 |
| 457 | 37055 | Cole, Bill (SBCSI) | BI msgs |
| 458 | 37057 | Brett Nemeroff | SS7 B-Link Connections |
| 485 | 37072 | Cole, Bill (SBCSI) | UTEX, |
| 492 | 37091 | Cole, Bill (SBCSI) | RE: UTEX Conference call |
| 495 | 37103 | Gilmore, Jerry W (SBC-OPS) | RE: bills |
| 537 | 37125 | Tutwiler, Sandy (SWBT) | FW: Midland Odessa Interconnection |
| 538 | 37125 | Josephson, Debbie (SWBT) | RE: Midland Odessa Interconnection |
| 539 | 37125 | Tutwiler, Sandy (SWBT) | RE: Midland Odessa Interconnection |
| 540 | 37125 | Lowell | RE: Midland Odessa Interconnection |
| 546 | 37125 | Lowell Feldman | RE: Midland Odessa Interconnection |

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|-----|-------|------------------------------|--|
| 605 | 37174 | Parker, David (SWBT) | RE: Waller Creek arbitration |
| 609 | 37183 | Cole, Bill (SBCSI) | UTEX usage |
| 610 | 37183 | Cole, Bill (SBCSI) | UTEX usage |
| 612 | 37184 | Heinmiller, Wayne (SBCSI) | Legal/Regulatory Activity Update |
| 613 | 37187 | Cole, Bill (SBCSI) | RE: UTEX usage |
| 629 | 37234 | Gilmore, Jerry W (SBC-OPS) | RE: Interconnection Efforts |
| 632 | 37296 | Hobson, Jason M (SBCSI) | UTEX |
| 634 | 37299 | Schwob Jr., John J (SWBT) | UTEX |
| 635 | 37303 | Josephson, Debbie (SWBT) | RE: UTEX codes in Kingsville and Corpus |
| 647 | 37366 | Cole, Bill (SBCSI) | CPN module |
| 651 | 37377 | Brett Nemeroff | Updated Trunk Forecasts |
| 649 | 37377 | Cole, Bill (SBCSI) | MOKA no Mod164 |
| | | | RE: AT&T Southwest Local spreadsheet re: |
| 671 | 37453 | Cole, Bill (SBCSI) | UTEX |
| | | Barry Dickerson, Pamela Y | RE: AT&T Southwest Local spreadsheet re: |
| 672 | 37453 | (SBCSI) | UTEX |
| | | | RE: AT&T Southwest Local spreadsheet re: |
| 673 | 37453 | Cole, Bill (SBCSI) | UTEX |
| | | | RE: AT&T Southwest Local spreadsheet re: |
| 674 | 37453 | Cole, Bill (SBCSI) | UTEX |
| 721 | 37651 | Constable, Jason (SBC-OPS) | FW: UTEX ICA |
| 736 | 37755 | Josephson, Debbie (SWBT) | RE: Trunk Forecasts |
| 737 | 37755 | Constable, Jason (SBC-OPS) | RE: Trunk Forecasts |
| | | | RE: UTEX DEOT study to switch |
| | | | HSTQTXRG6MD point code 005-096-184 |
| 742 | 37813 | Hall, Gia S (ATTOPS) | Houston market |
| 753 | 37856 | Patterson, Judith A (ATTOPS) | FW: Trunk Forecasts |



1

2 **Q: WHAT CONSTITUTES VALID OR ADEQUATE CPN UNDER THE ICA?**

3 A: First of all, the ICA does not have an express definition of "CPN" in either
4 Attachment 12 or in the GTC definitions.⁵ All that exists in this regard is Attachment 12 §§ 2.2
5 and 2.3 and the definitions in Section 53 which are expressly incorporated by Attachment 12
6 § 1.2.1. Section 2.2 and 2.3 generally describe "originating calling number."⁶ As § 2.3 makes
7 clear, "originating Calling Party Number" does not have to always be something that is conveyed
8 in the SS7 ISUP IAM CPN parameter. When the interconnection is MF, then ANI⁷ rather than
9 CPN is used. When the interconnection is ISDN, then the ISDN information element for CPN is
10 signaled on the "D" channel rather than through the SS7 network. See Attachment 25 ISDN
11 Interconnection Methods, Appendix A, Technical Implementation.

12 **Q: DOES THE ICA DEFINE CPN? IF SO, WHAT IS THAT DEFINITION?**

⁵ GTC § 53 (Definitions) applies by virtue of Attachment 12 § 1.2.1. While there is not a definition of "CPN" in the GTC definitions, GTC § 53.1 states that "A defined word intended to convey its special meaning is capitalized when used. Other terms that are capitalized and not defined in this Agreement will have the meaning in the Act." The Act does not have a definition of "CPN" but the FCC's rules do, and the FCC definition at least arguably could be applied or used for guidance when the parties use SS7. That definition is contained at 47 C.F.R. § 64.1600(c):

Calling party number. The term "Calling Party Number" refers to the subscriber line number or the directory number contained in the calling party number parameter of the call set-up message associated with an interstate call on a Signaling System 7 network.

The FCC definition refers to "the subscriber line number or directory number" but provides no additional guidance on what those terms mean.

⁶ 2.2 Each Party will include in the information transmitted to the other for each call being terminated on the other's network (where available), the originating Calling Party Number (CPN).

2.3 The type of originating calling number transmitted depends on the protocol of the trunk signaling used for interconnection. Traditional toll protocol will be used with Multi-Frequency (MF) signaling, and Automatic Number Identification (ANI) will be sent either from the originating Parties end office switch to the terminating Parties tandem or end office switch. ISDN used for interconnection will be as defined in attachment 25 Appendix ISDN Interconnection.

⁷ See 47 C.F.R. § 64.1600(b) ["(b) ANI. The term "ANI" (automatic number identification) refers to the delivery of the calling party's billing number by a local exchange carrier to any interconnecting carrier for billing or routing purposes, and to the subsequent delivery of such number to end users."]

1 A: While CPN is a term that is commonly and readily recognized in the industry, the
2 meaning and interpretation of the term depends critically on the context in which it is used. The
3 four primary contexts in which the term is defined are the contexts of: signaling, routing, rating
4 and policy.

5 In a signaling context, SS7 ISUP and other ISDN signaling specifications, such as ANSI
6 T.1-113.1—95 and related specifications from other standardizing bodies (c.f. GR-246-CORE),
7 provide the standard meanings of terms. In ANSI ISUP, the CPN parameter is an optional and
8 variable length message parameter which is defined as:

9 Calling Party Number: Information sent in the forward direction to identify the calling
10 party and consisting of the odd/even indicator, nature of address indicator, numbering plan
11 indicator, address presentation restriction indicator, screening indicator, and address
12 signals.
13

14 This definition is typical for signaling specifications which explicitly define syntax and
15 purposefully avoid specific semantic concepts such as validity. As such it is important to
16 understand that signaling specifications do:

17 "not" require 10 and only 10 numeric characters to be sent;
18 "not" require the number to be a valid LERG number;
19 "not" prohibit 8YY numbers from being sent as CPN;
20 "not" prohibit non-geographic numbers from being used as CPN; and
21 "not" require only geographic numbers.
22

23 In a routing context, CPN has absolutely no relevance, since call routing logic operates
24 on the Called Party Number. In a rating context, CPN generally, per industry standard practice,
25 has little or no import or conventional use. It has no "validity" concept. Typically call rating
26 logic operates on static trunk group configuration information and or Charge Number ("CN")
27 information derived from signaling. As an example, AT&T's own billing system diverges from
28 industry standard practice and does not place the CPN digits in the AMA Originating Number
29 field in the Structure Code 0625 Table 14. Instead AT&T places the Terminating Billing

1 Account number ("T-BAN") in this field. CPN information present in the signaling is recorded
2 instead in a Module 164 record Table 126, despite the fact that per the specification the purpose
3 of this record is to provide "the means to record lengthy numbers that cannot be recorded in the
4 structure applicable to the call" [GR-1083-CORE, GR-1100-CORE, GR-1504-CORE, GR-3058-
5 CORE]. Again, in this case, CPN clearly has no industry standard validity concept. AT&T has
6 in fact admitted that its use of CPN is not pursuant to industry standard practice. [RFI 1-4
7 (original 9/4/07 response); see also AT&T Omnibus Response to UTEX, p. 12 (9/25/07)].
8 AT&T is actually not using AMA as it was designed to be used when it comes to CPN. Their
9 approach is not industry standard.

10 Finally, in a policy context, while the 1996 Act does not have a definition of CPN, the
11 FCC has a CPN definition that at least arguably could be applied or used for guidance when the
12 parties use SS7. That definition, which is contained at 47 C.F.R. § 64.1600(c), is as follows:

13 Calling party number. The term "Calling Party Number" refers to the
14 subscriber line number or the directory number contained in the calling
15 party number parameter of the call set-up message associated with an
16 interstate call on a Signaling System 7 network.

17 **Q: IS THE DEFINITION AMBIGUOUS?**

18 A: Although the term CPN does not have a definition *per se*, UTEX does not believe that the
19 existing ICA is ambiguous. However, what is wholly unsupported by the ICA, industry
20 standards, and standard industry practice is a concept of validity which can be usefully and
21 universally applied to CPN. Moreover, UTEX believes that the very concept of CPN "validity"
22 is itself harmful to technology and innovation.

23 **Q: ARE THERE ANY CONCEPTS OR NOTIONS THAT ARE USEFUL AND**
24 **HELPFUL TO TECHNOLOGY AND INNOVATION?**

1 AT&T focuses on their harmful and technological retrograde concept of "validity."
2 UTEX has instead focused on a notion of fidelity. By our business practices and per our tariff,
3 we do not manipulate the CPN parameter in any way, in an effort to forestall accusations of
4 impropriety. We were very concerned about such accusations since AT&T and Verizon accused
5 several ESPs and CLECs of wrongdoing when one or the other actively changed the information
6 in the CPN parameter. Ours is a temporary solution aimed at facilitating interoperability of the
7 PSTN with Internet originated calling originating from Enhanced Service Providers. To date,
8 UTEX's active and repeated efforts to establish a joint policy and solution have been totally
9 rebuffed by AT&T.

10 **Q: DO YOU SEE ANY OTHER PROBLEMS WITH AT&T'S ATTEMPT TO**
11 **INSERT "VALID" IN FRONT OF "CPN" AND THEN UNILATERALLY DEFINE**
12 **WHAT "VALID" MEANS?**

13 A: AT&T has unilaterally attempted to impose its own concept of validity on the ICA.
14 AT&T would have you believe that the word "valid" appears next to the term CPN in
15 Attachment 12 § 7.5. This is simply not the case. The term "CPN" as used in the current
16 agreement does not have the definite and immutable and exclusive meaning AT&T Texas
17 ascribes to it, and the specific criteria now stated by AT&T Texas cannot be found anywhere in
18 the contract and are inconsistent with the practice of the Parties after the contract was formed. It
19 simply cannot be the case that AT&T Texas' current validity criteria are and always have been a
20 necessary part of the Agreement.

21 While AT&T's validity concept has no place next to the word CPN in the ICA, neither
22 has it received a consistent definition from its progenitor. AT&T Texas' current CPN validity
23 concept requires a 10 digit, non 8YY active number that is already included in the Local

1 Exchange Routing Guide (LERG). This definition however is much different than the criterion
2 AT&T Texas described for the first time to UTEX in August of 2005. At that time, AT&T Texas
3 stated that all they wanted to see was 10-digit CPN. This representation was made a few days
4 before the joint testing that occurred on August 30, 2005. It was repeated orally during the
5 conference call that was held while the test was proceeding. During the joint test, AT&T Texas
6 and its engineers specifically stated that AT&T Texas was only looking to see if 10 digits were
7 passed and stated as an example that "999-999-9999" was a good CPN. AT&T Texas did not
8 explain any additional criteria, or any additional methods which they used to rate calls based
9 upon CPN content.

10 Further, AT&T was certainly made aware that UTEX did not agree with any CPN
11 content criteria other than passing upstream exactly what was given to UTEX by its customer.
12 While not compelled by the contract, UTEX was willing to negotiate with AT&T Texas over the
13 matter, and sought to do so for many months, to no avail. When AT&T Texas discovered that
14 test results showed that UTEX's ESP customers were in fact passing 10 digits on more than 90%
15 of the calls, AT&T Texas was left in the difficult and uncomfortable position of having to invent
16 a new definition of validity to justify the bills it had already sent to UTEX for non-delivery of
17 CPN.

18 That was not the only time AT&T changed their definition in mid-stream. In the context
19 of the negotiations for a replacement agreement to the current contract, AT&T Texas proposed
20 that AT&T Texas and UTEX implement the following definition on February 6, 2002: "Calling
21 Party Number (CPN) identifies the specific station set originating a call." Furthermore, AT&T
22 Texas own network engineering documents (NJS worksheet) for Austin interconnect, produced
23 almost a year after the joint testing, states that AT&T Texas switching equipment would be

1 sending 7-digit CPN to UTEX and that AT&T Texas expected 7-digit from UTEX in that
2 market, at least for certain end offices.

3 **Q: AND IF "CPN" IS AMBIGUOUS, WHAT WAS THE INTENTION OF THE**
4 **PARTIES AT THE TIME OF CONTRACT FORMATION?**

5 A: Attachment 12 § 2.2 simply stated that CPN must be passed where available and that the
6 parties supply CPN with the intended purpose of purely identifying the calling party and
7 providing for call back capability where possible. It is also worth returning to AT&T Texas'
8 own NIS worksheets. For example, NIS worksheets were used by UTEX and AT&T Texas for
9 interconnection implementation in the Abilene LATA (executed May 28, 2002) and the Austin
10 LATA (first executed May 28, 2002, most recent version revised May 11, 2006). These
11 documents contain a representation concerning the CPN information that AT&T Texas says it
12 requires, requests or will send. The Abilene LATA worksheet has a list of specific end offices.
13 The notes to that list contain these two statements: "SWB will send 7 or 10 digits in the called
14 party number field from these end offices" and "[u]ntil LNP, SWB can receive 7 digits in the
15 called party number field at these end offices." The original Austin worksheet (in 2002) and the
16 most recent Austin worksheet (in 2006) both have these two statements: "SWB will send 7 or 10
17 digits in the called party number field from these end offices" and "[t]he Austin MSA is LNP, so
18 SWB can receive 10 digits in the called party number field in the offices in the Austin MSA."
19 Nowhere on these documents does AT&T Texas state that 10 digits are mandatory and only 10
20 digit CPN is "valid." To the contrary the documents show that AT&T Texas may not be sending
21 10 digits in the CPN field, and may in fact send only 7 because of limitations in its own network.
22 The documents show that AT&T Texas understood and expected that UTEX might send traffic
23 that has signaled something other than 10 digits in the CPN address field. AT&T Texas does not
24 (or until recently did not) always send 10-digits in the CPN parameter for AT&T Texas

1 originating traffic. For several years AT&T Texas wanted CLECs to send 7-digit CPN for
2 CLEC-originated traffic addressed to certain AT&T Texas end offices until AT&T Texas'
3 switches became LNP-capable. Accordingly, it would have been impossible to comply with a
4 10-digit requirement in 1998 when the WCC agreement went into effect. Indeed, AT&T Texas
5 still had the end office switch limitation in 2004 when the Parties were implementing
6 interconnection between UTEX and AT&T.

7 **Q: DO THE APPLICABLE SS7 STANDARDS PROVIDE THAT 8YY NUMBERS**
8 **ARE NOT ACCEPTABLE CONTENT FOR THE CPN ADDRESS FIELD?**

9 A: The telecommunications industry has purposefully crafted signaling and billing
10 specifications to contain compatible but logically disjoint criteria for message semantics. This
11 allows for the widest possible application of the technology and allows the maximum flexibility
12 and extensibility. As such, SS7 standards such as ANSI T.1-113-1995 and Telcordia GR-246-
13 CORE, are silent on CPN validity. The standards are drafted to allow many different kinds of
14 "CPN" – including VoIP-based calling party information (the T1.113 specification expressly
15 discusses "data services" and that is what VoIP technically is) – that are completely inconsistent
16 with AT&T Texas' many "validity" criteria.

17 UTEX exclusively intermediates traffic from IP originated telecommunications endpoints
18 addressed to the PSTN via ESP intermediaries. Some of these intermediaries choose to emulate
19 PSTN numbering. For these endpoints, the CPN passed to AT&T will resemble CPN that might
20 have originated from the PSTN. However, unlike Legacy telephony protocols, IP telephony
21 protocols universally do not require endpoints to be addressed using a PSTN (10-digit NANP)
22 number. A large fraction of the traffic passed to AT&T comes from ESPs who choose not to
23 emulate PSTN endpoints, since this emulation is costly and unnecessary. Generally speaking,
24 the decision to implement emulation is born out of fear of litigation and anti-competitive

1 incumbent practices, and is not mandated by the underlying technology. However, some ESPs
2 have chosen to use 10-digit numbering plans, which do not provide direct PSTN emulation, and
3 as a result, the CPN provided fails AT&T's validity criterion, even though they numbers are
4 perfectly valid PSTN numbers. An example is an ESP that presents uniform 8YY originating
5 numbers, but provides callback multiplexing.

6 Unfortunately, the alternative number schemes used by IP telephony endpoints are poorly
7 expressed in Legacy protocols, including SS7 and AMA. As a result the CPN transmitted to
8 AT&T generally looks un-PSTN-like to AT&T's systems. And there is a reason for that.

9 **Q: DO THE APPLICABLE TELCORDIA RELEASES RELATED TO AMA**
10 **BILLING METHODS PROVIDE THAT (1) THE INFORMATION POPULATED IN**
11 **THE SS7 ISUP IAM CPN ADDRESS FIELD CAN AND MUST BE ONLY 10 DIGITS; (2)**
12 **CANNOT INCLUDE A COUNTRY CODE8YY NUMBERS; AND (3) MUST BE A**
13 **NANP-ISSUED GEOGRAPHIC-BASED E.164 NUMBER THAT IS ACTIVE IN THE**
14 **LERG?**

15
16 A: No. Telcordia releases prescribe none of these things. Just as signaling specifications
17 are silent on billing syntax and semantics. billing specifications are silent on signaling syntax and
18 semantics. In particular, Telcordia AMA specifications [GR-1100-CORE], as stated above, per
19 industry standard practice, signaling and billing standards are notionally decoupled as to provide
20 maximum flexibility, applicability and extensibility.

21 This does not mean that signaling information is always reliably represented in the billing
22 data derived from it. Per Telcordia GR-1100-CORE, Billing AMA Format ("BAF") records
23 capture ISUP CPN in a 15-digit fixed-width field with left zero-padding. This means that in call
24 sessions where the information UTEX receives and then populates in the CPN parameter has a